

CONSUMER PROTECTION ASSOCIATION
HIMMATNAGAR
DIST. : SABARKANTHA
GUJARAT



COMMENTS ON
Consultation Paper
On
**Compensation to the Consumers in the Event of
Dropped Calls**

Call drops issue is not only restricted to small towns and rural areas, but has emerged as a pan India problem. It becomes a major source of frustration for the customer if it occurs on a regular basis. Consumers are more sensitive to call dropping than to call blocking at initiation. Apart from lack of radio resources the important contribution of drop call rate is the traffic load in which the call arrival rate and holding time play significant roles.

Yet, one in every five or 10 mobile calls in the country drops, depending on the area and time of the day. Operators also have an unfair advantage with dropped calls. The problem arises because there is no standard definition of a dropped

call. What consumer consider a disconnection may not quality as such for mobile operator. Operators, therefore manage to stay on the right side of the rules.

Two major impacts of call drops on consumers are:
1. Psychological impact:

A call drop may leave a subscriber high and dry in midst of an important call particular in case of an emergency leading to mental trauma. Call dropping and low signals is becoming hazardous to human health as the B.P. and anxiety increases without knowledge because now a day people are habituated to talking very loudly because of poor mobile signals.

2. Financial impact:

- (a) If it is billed per minute then consumer has to pay for the whole minute if call drops even after 1 second. Also if the service providers offer 'free minutes' or 'free calls', consumers may not be able to take full advantage of them if call drops frequently. This leaves a consumers feeling cheated by the service providers.
- (b) Also, if the tariff plan is measured in minutes or if a plan contains features like a fixed number of free calls, it will hurt the customer economically.

Consumer signup with service providers with the understanding that, they will get a satisfactory service, but if there are disruptions and interruptions due to call drops or other issues, it is certainly not a healthy practice, consumer deserve to be compensated for such inconveniences, which are not part of their contract.

As consumers pay heavily for the call drops that have been on the rise, the telecom companies are getting away lightly by paying a penalty of just Rs. 50,000 per quarter if the call drops are over 2%. The present penalties, up to a maximum of 1 lakh

are hardly deterrent and suggests that the TRAI can do what Bangladesh's Grameen phone and Banglalink have done after the Bangladesh Telecommunication Regulatory Commission got tough over call drops. There was a phenomenal improvement in drop calls after this as Bangladesh Telecommunication Regulatory commission toughened rules on quality of service for call drops with stiff fines for violations. They offer a minute of free talk time for every call drop. TRAI should impose more stringent penalties.

We appreciate the role of Telecom operators in the expansion of mobile network in India, it is equally important for them to reinforce the infrastructure so that consumer may not have call drop problem.

The investment made in the network infrastructure (other than radio spectrum) clearly indicate that investment has not kept pace with the usage. Service providers can reduce call drops to a large extent by way of improving coverage, expanding the capacity of the network and optimizing the performance of various elements, which require both efforts and investments on their part.

Q1: Do you agree that calling consumers should not be charged for a call that got dropped within five seconds? In addition, if the call gets dropped any time after five seconds, the last pulse of the call (minute/second) which got dropped, should not be charged. Please support your viewpoint with reasons along with the methodologies for implementation.

Comments :

The consumers are paying for a good quality of service and service provider gets paid for delivering the good service. If the service has not been provided or not been completely provided, the promise of service has been broken and hence the service provider should not be paid for the broken

promise. Japanese train service refunds the cost of ticket if the train is even one minute late.

The Consumers should be compensated a minute of free talk time for every dropped call as it is deficiency in service.

- 1. Uninor is already giving 1 minute free call for every call drop.**
- 2. Reliance is giving 10 minutes free for consumer experiencing call drops.**
- 3. Previously, Bharati Airtel, the country's largest operator in Andhra Pradesh came up with such offer.**
- 4. To counter the situation, the service providers in other countries are offering a minute of free talk time for every dropped call.**

Q2: Do you agree that calling consumer should also be compensated for call drops by the access service providers? If yes, which of the following methods would be appropriate for compensating the consumers upon call drop:

- (i) Credit of talk-time in minutes/ seconds
- (ii) Credit of talk-time in monetary terms
- (iii) Any other method you may like to suggest

Please support your viewpoint with reasons along with the methodologies for implementation.

Comments :

Calling as well as receiving consumer who is in roaming (consumer is paying roaming charge) should also be compensated for call drops by the access service providers in respect of :

- 1. Credit of talk-time in minutes/Seconds.**
- 2. If percentage of call drop is very high heavy penalty to the service provider should be imposed.**

Q3: If the answer to the Q2 is in the affirmative, suggest conditions/limits, if any, which should be imposed upon the provision of crediting talk-time upon call drop and usage thereof.

Comments :

- 1. Any call which is terminated ultimately and without the will of the consumer should be considered as a dropped call.**
- 2. The calculation of dropped calls should be personalized.**
- 3. The user, who receive compensation from the operator can utilize their minutes up to sixty days from receiving the message to use their minutes.**
- 4. The consumer can utilize it in both on - and off net calls because call drop happens while talking on in any network i.e. either on net or off net.**
- 5. TRAI should Limit the call drops per day per consumer.**
- 6. Poor connectivity also causes broken or scrambled voice should be considered as a call drop.**
- 7. Cut off before the speaking parties had finished their conversation and before one of them had hung up should be considered as call drop.**

- 8. Consumers should be compensated for the STD calls that are dropped in terms of talk time without any restriction on using that talk time.**
- 9. TSP should acknowledge the call drop instantly to the subscriber whenever call drop occurs.**
- 10. Free minute/seconds should be credited in the account of the subscriber instantly.**
- 11. There should be no limitation on consuming the free minutes (Ex. Within 24 hours) as consumer is utilizing an ongoing pack.**
- 12. There should be no restriction on free minutes like on - net calls etc..**
- 13. Call dropping should be considered both in voice and data network.**
- 14. It should be mandatory for telecom operators to disclose their network capacities and percentage of dropped calls periodically.**

Q4: Is there any other relevant issue which should be considered in the present consultation on the issue of call drops?

Comments :

1. Compensation to the consumer is the most important solution in the consumer point of view as consumers are entitled for it, but can only be a stop - gap arrangement as the stakes involved are larger. The prime reasons for dropped calls are :

1. Inadequate coverage which can be due to multiple reasons.
2. Over load cell towers.
3. Cityscape changes
4. Switching between towers
5. Technical failure etc..

Beyond it above regular reasons, in rural and suburbs call drops can occur due to sudden signal strength drops due to power failure for a BTS. These points also should be considered.

2. Our organization and some service providers have started educating consumers to ease concerns around telecom tower radiation.
3. As per the service providers, surrounding area of Jammers, placed at the base stations of army like Jamnagar, Bhuj etc. in Gujarat are also one the cause of call drops.
4. If service providers fails to check call drops, TRAI/Government should plan to initiate punitive action against them.
5. Only strict rule is not sufficient to take such type of action TRAI should keep an eye on such type of activity it should be sure that punitive action should be taken against such default.

Cpa/28-09/15

21.09.2015

To,

Hon. Smt. Vinod Kotwal,
Advisor, (F & EA),
TRAI,
New Delhi.

Sub. : Comments on Consultation Paper on " Compensation to the consumers
in the event of Dropped calls ".

Hon. Madam,

Namaskar !

Please find herewith our comments on the consultation paper on " Compensation
to the consumer in the Event of Dropped calls ".

You are requested to do needful and oblige.

Thanks.

Yours faithfully,

(Dr. Kashyapnath)
President

Member organization : TRAI